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EXAMINER

AUGUSTINE, NICHOLAS

ART UNIT

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2179

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/693,967

Applicant(s)

CHUNG ET AL.

Examiner

NICHOLAS AUGUSTINE

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 5/27/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

- A. This action is in response to the following communications: Amendment filed: 6/20/2008. This action is made **Final**.
- B. Claims 1-25 remain pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Xu et al (US 2002/0070961 A1), herein referred to as "Xu".

As for independent claim 1, Xu teaches a method of focusing on at least one of input items in an object picture formed by an object program and embedded in a markup picture formed by a markup document, the method comprising: (paragraph 27)

interpreting the object program for displaying the object picture to generate input item map information necessary for focusing on the input items (figure 5, 510 and par.41 and 57); and focusing on one of the input items with reference to the input item map

information in response to a key input from a user input device (fig.5, 500,510,540), wherein the markup picture comprises the object picture embedded therein and additional information related to the object picture, and the object picture and the additional information are obtained from a-the markup document (par.28,35 "interactive television service"; wherein as depicted in figure 4 shows a plurality of frames such that one frame has links displayed (can be ordinary webpage with links and content) and as described by Xu another frame can have video on demand or even interactive TV service; which known in the art to have a picture/video with links embedded thereon; <http://www.itvt.com/>).

As for dependent claim 2, Xu teaches the method of claim 1, wherein the object program has an independent program structure according to an extensible markup language (XML) document and a Java program (figure 10, par.72).

As for dependent claim 3, Xu teaches the method of claim 1, wherein the object program interpreting comprises: obtaining information on input types of the input items, information on positions of the input items (figure 5a), and information on identifications of the input items from the object program (par.41); and generating the input item map information based on the information on the input item types, the input item position information, and the input item identification information (par.57).

As for dependent claim 4, Xu teaches the method of claim 3, wherein the focusing comprises moving a focus from a currently focused input item to an input item nearest to a direction indicated by a direction key of the user input device based on the input item type information, the input item position information, and the input item identification information (figure 5a, par.45-46).

As for independent claim 5, Xu teaches a method of focusing on at least one of input items in an object picture embedded in a markup picture displayed on a screen, the method comprising (par.27,66): transmitting a message from a markup interpretation engine for the markup picture to an object interpretation engine for the object picture for moving an input item focus from inside of the markup picture (par.28,41-45), but outside of the object picture embedded in the markup picture and any other object picture, to inside of the object picture (par.66), in response to user request to move the input item focus; and focusing by the object interpretation engine on one of the object picture input items according to a predetermined order in response to the message (par.41-43).

As for independent claim 6, Xu teaches a method of focusing on at least one of input items in an object picture embedded in a markup picture displayed on a screen, the method comprising (par.27, 66): transmitting a message from an object interpretation engine for the object picture to a markup interpretation engine for the markup picture for moving an input item focus from inside of the object picture to inside of the markup

picture (figures 5-6; par.28,45-46), but outside of the object picture embedded in the markup picture and any other object picture (par.66), in response to a user a request to move the input item focus; and focusing by the markup interpretation engine on one of the markup picture input items according to a predetermined order in response to the message (par.41-43).

As for dependent claim 7, Xu teaches the method of claim 5, wherein the message transmission comprises transmitting information on a position of a currently focused markup picture input item and information on a direction along which the focus moves (figure 5A, par.45).

As for dependent claim 8, Xu teaches the method of claim 7, wherein the focusing comprises: moving the focus from the currently focused markup picture input item to a next object picture input item positioned in an object picture direction selected based on the direction information (figure 5-6, par.45).

As for dependent claim 9, Xu teaches the method of claim 5, wherein the focusing comprises: moving the focus from the currently focused markup picture input item to a next object picture input item determined with reference to a distance and a direction angle of each markup picture and object picture input item (figure 5-6, par.41, 45).

As for independent claim 10, Xu teaches an information storage medium storing information controlling an interactive contents playback apparatus, the storage medium comprising (par.27): a markup document written in markup language; and an object program to display an object picture having at least one input item and embedded in a markup picture formed by the markup document (par.28,41-43), the object program containing information on an input item type, information on a position of an input item, and information on an identification of an input item necessary for generating input item map information (par.57,66).

As for dependent claim 11, Xu teaches the information storage medium of claim 10, further comprising at least one of audio contents reproduced and image contents displayed by the object program while being embedded in the markup picture (figure 1, par.28; video on demand, set-top box, and interactive TV service).

As for dependent claim 12, Xu teaches the information storage medium of claim 10, wherein the object program has an independent program structure according to an extensible markup language (XML) document and a Java program (figure 10, par.72).

As for dependent claim 13, Xu teaches the information storage medium storing information controlling an interactive contents playback apparatus, the storage medium comprising (par.27-28) :a markup document written in markup language; an object program to display an object picture having at least one or more input items and embedded in a markup picture having at least one or more input items and formed by the markup document (par.28,41-43,66); and a focus change program controlling transmitting a message for moving a focus on one of the object picture input items from an object interpretation engine for the object picture to a markup interpretation engine for the markup picture, in response to a pressed key of a user input device to move the object picture focus, and focusing on one of the markup picture input items according to a predetermined order in response to the message using the markup interpretation engine (par.45-47; figures 5-6).

As for dependent claim 14, Xu teaches the information storage medium of claim 13, wherein the message comprises information on a position of a currently focused object picture input item and information on a direction along which the focus moves (figure 5a).

As for dependent claim 15, Xu teaches the information storage medium of claim 13, wherein the focus change program controls moving the focus from a currently focused object picture input item to a next markup picture input item positioned in a markup

picture direction selected based on the message transmitted from the object interpretation engine (figure 6).

As for dependent claim 16, Xu teaches the information storage medium of claim 13, wherein the focus change program controls moving the focus from a currently focused object picture input item to a next focused markup picture input item determined with reference to a distance and a direction angle of each object picture and markup picture input item (figure 5a).

As for independent claim 17, Xu teaches an markup picture display system, comprising: a display; a non-pointer type input device; and a programmed computer processor (figure 1, par.28) processing a markup document to generate on the display a markup picture having at least one input item and the markup picture including an embedded object picture having at least one input item (figure 4-5, par.41-45); and moving an input item focus among the markup picture input items and the object picture input items, from a markup picture input item to an object picture input item, and from an object picture input item to a markup picture input item according to a predetermined order, in response to an input by the non-pointer type input device (par.28, 45, figures 5-6).

As for dependent claim 18, Xu teaches the system of claim 17, further comprising a digital video disc (DVD) storing the markup document and a DVD video as the object picture embedded in the markup picture, wherein: the display is a television; the programmed computer processor is a DVD player processing the markup document stored on the DVD disc; and the non-pointer type input device is a remote control of the DVD player (par.28 and 38; wherein DVD is implicitly described and understood as well known mediums in the art).

As for dependent claim 19, Xu teaches the system of claim 17, wherein: the programmed computer processor comprises an object interpretation engine, which processes the markup document, and a markup interpretation engine, which processes an object program to display the object picture embedded in the markup picture (figures 1-3, par.28,66); and the object interpretation engine and the markup interpretation engine exchange messages to control the input item focus movement among the object picture and markup picture input items, in response to a key input of the non-pointer type input device (figures 5-6).

As for dependent claim 20, Xu teaches the system of claim 19, wherein the message comprises information on a position of a currently focused object picture or markup picture input item and direction information along which the focus moves (figure 5a).

As for independent claim 21, Xu teaches interactive DVD content player, comprising: a non-pointer type input device (par.28,38, wherein DVD is implicitly described and understood as well known mediums in the art); and a programmed computer processor processing a markup document to generate a markup picture having at least one input item and the markup picture including an embedded DVD object picture having at least one input item; and moving an input item focus among the markup picture input items and the DVD object picture input items (par.28 and 66), from a markup picture input item to a DVD object picture input item, and from a DVD object picture input item to a markup picture input item according to a predetermined order (par.45,57), in response to an input by the non-pointer type input device (par.41-43, figure 5a-6).

As for independent claim 22, Xu teaches an interactive contents playback apparatus, comprising: a non-pointer type input device; a reader reading interactive contents including an object program (par.27-28); and a presentation engine processing the interactive contents, including the object program, to generate an interactive picture having at least one input item, the interactive picture including an embedded object picture based upon the object program and having at least one input item (figure 1-3, 28,45,57,66); and moving an input item focus among the interactive picture input items and the object picture input items, from an interactive picture input item to an object picture input item, and from an object picture input item to an interactive picture input item according to a predetermined order, in response to a user input by the non-pointer type input device (par.57,figure 4-6).

As for dependent claim 23, Xu teaches the apparatus of claim 22, wherein the interactive content is a markup document, and the presentation engine comprises: a markup interpretation engine interpreting the markup document to generate a markup picture as the interactive picture and to generate a markup picture input item map for focusing on the markup picture input items (par.45,); an object interpretation engine interpreting the object program to embed the object picture in the interactive picture and to generate an object picture input item map for focusing on the objection picture input items; and a user input controller storing the markup picture and the object picture input item maps (figure 1-3) and moving the input item focus among the markup picture input items and the object picture input items according to the markup picture and the object picture input item maps (par.57, figure 4-6)).

As for dependent claim 24, Xu teaches the apparatus of claim 22, wherein the non-pointer type input device is a remote control comprising four direction keys moving the input item focus in up, right, down, and left directions, and the presentation manager moves the input item focus from an interactive picture input item to an object picture input item in response to one of the direction keys in a direction of the object picture leaving the interactive picture (par.41-45, figure 4-6).

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As for dependent claim 25, Xu teaches the apparatus of claim 22, wherein the non-pointer type input device is a remote control comprising four direction keys moving the input item focus in up, right, down, and left directions, and the presentation manager moves the input item focus upward or downward through the interactive picture input items and the object picture input items in response to the up or the down key, respectively, by searching for a next input item with reference to a distance and direction angles of each input item (par.41-45, figures 4-6).

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments filed 02/27/2008 have been fully considered but they are not persuasive.

After careful review of the amended claims (given the broadest interpretation) and the remarks provided by the Applicant along with the cited reference(s) the Examiner does not agree with the Applicant for at least the reasons provided below:

A1. Applicant argues that Xu does not teach applicants "object picture", "object program"; and accordingly states that Xu's web browser does not utilize the frame's source document to identify the links in a frame.

R1. Examiner does not agree, with full understanding of applicants definition of what an "object picture" and "object program" from paragraphs 12,14 and 48;

"...interactive contents is a markup document and an object program which when displayed/played back are referred to as a markup picture including an embedded object picture". In other words a web page with objects included thereon, wherein the objects contain hyperlinks for navigation. Xu teaches object pictures and an object program (par.41, 45 and 66). Xu states "...it should be understood by one of ordinary skill in the art that frames within a web browser are object ..." Later in par.67 it is disclosed that "a program function call" is used to enumerate the objects from a web page. Therefore Xu discloses interactive contents are a markup document (parent web page) and an object program (systems function calls) which when displayed/ played back are referred to as a markup picture (web page) including an embedded object picture (frame). Xu mentions the user of frames being used in a video on demand setting running a video-on-demand document, looking at figure 4, one of ordinary skill in the art would see that objects/frames depicted would/could include video-on-demand service/interactivity in some or all of the in windows as Xu explain that some of the frames in figure 4 can be related or unrelated in content (plurality of web sites; "separate documents"); thus is it evident that Xu's system can run a video-on-demand document and a webpage document being displayed simultaneously while providing the user with navigation techniques using input from a keyboard's or remote's directional arrows (par.41).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Nicholas Augustine/
Examiner
Art Unit 2179
June 20, 2008

/Ba Huynh/
Primary Examiner, Art Unit 2179